

SHERIFF FRANCIS FAILED TO FIND FUGITIVE

Printer Who Secured Newspaper's Money Makes Get-Away

(From Saturday's Daily)

Sheriff John Francis of Coconino county passed through here yesterday afternoon on his way home to Flagstaff from El Paso, Texas, where he followed Oscar A. Leach, accused of stealing \$875 from Editor Moore of the Williams News.

Sheriff Francis stated that the El Paso and other officers between here and Texas failed to apprehend Leach, who escaped into Mexico. He said that he knew where Leach is now located, but did not say whether extradition proceedings would be instituted with a view of arresting Leach and bringing him back to Coconino county to stand trial for the alleged theft.

Leach eluded the El Paso officers by alighting from the train at a station near El Paso and walking to that city under cover of darkness. He stayed in a saloon in the city until a short time before daybreak on the morning of his arrival when he crossed the bridge into Mexico.

Leach, it will be remembered, stopped in this city a few days on his way south after the alleged theft was committed. He worked in the local printing offices as Linotype operator and the night he left for Phoenix bought several bottles of wine, which he shared liberally with a few boon companions.

Arriving in Phoenix, he stayed two days visiting the fair and renewing acquaintances with people he knew several years ago on the occasion of a former visit. He confided to his companions in enjoyment in Phoenix that he was on his way to Mexico City, where he had a position as Linotype operator in a newspaper office. He left Phoenix before the local police officers were informed that he was wanted in Coconino county.

THREE MARAUDERS MAKE ATTACK ON WHIPPLE SENTRY

(From Friday's Daily)

In a mix-up following a surprise of thieves attempting to rob the commissary at Fort Whipple Wednesday night, Private Matheus of Troop I of the Fifth cavalry received injuries on account of which he is now confined in the post's hospital.

Matheus was doing sentry duty when injured by one of three men he saw in the vicinity of the commissary acting suspiciously. When found this morning lying helpless under the porch of the commissary building he was partially conscious and paralyzed from the hips down.

Private Matheus was in the act of inspecting the doors of the commissary and neighboring buildings immediately before he was attacked. He noticed something wrong with one of the doors and shortly afterwards saw a man walking ahead of him near another building.

He called out to the stranger to halt but the command was not obeyed. He stepped forward and at the third command to halt he fired.

Blood was found yesterday morning where the man was walking, indicating that he had wounded the fellow at whom he fired.

Immediately after he emptied his pistol of the last shot, another man jumped from the door of a box car be-

hind him and struck him in the back with some blunt instrument, supposed to be a sand bag. This felled him to the ground.

He called out "Guard No. 2" as he fell and the guard ran to his assistance. The guard failed to find him and immediately reported that Matheus was missing, believing the sentry had been killed in the shooting.

Boots and saddles, double quick, was sounded, calling out the entire troop mounted. The entire reservation and surroundings were scoured but no trace of the thieves was found.

At daylight this morning Matheus was found lying under the porch, with his empty pistol by his side. He was unable to move the lower portion of his body and legs and was carried on a stretcher to the hospital.

He is suffering from pains in the back, ribs and breast, and from the effects of the blow that felled him, but the attending physicians believe that he will recover. No marks were found on his body. This apparently indicates he was struck with a sand-bag or some heavy weapon of similar character.

OLD NEVADA MINER COMPLIMENTS YAVAPAI

(From Wednesday's Daily)

"Yavapai county is richer in minerals than the entire state of Nevada," E. L. Bartholomew, who arrived here yesterday from his mines in the Weaver mountains, said to a Journal-Miner representative.

"In making this statement I desire everybody to know that I am partial to Nevada. I was born in the Sage Brush State and worked as a practical miner many years in its greatest camps, and know from experience that this county has more promising mining properties here than the entire state.

"No district of Nevada is as rich in gold as the Weaver mountains. Every ledge that has been developed there to any depth has proven good. The Congress, Octave and Fools Gulch mines are the practical ones there but a revolution in mining will follow the installation of the hydro-electric power plant at Wickenburg which will furnish power so cheaply that many of the mines, now considered in the low grade class, can be worked at a handsome profit.

"Congress is turning out regular shipments of concentrates and bullion. The new additions to the Alvarado Gold Mining and Milling Company's mill at Fools Gulch are nearly finished and the Octave mine will be developed on a larger scale than ever as soon as the Central Arizona Electric Company is ready to furnish electric power from its plant now under installation at Wickenburg. The Yarnell mine is being pumped out and its old workings repaired. It is the general opinion that work on a large scale will soon be resumed on this property, which is considered by miners one of the largest in the district.

"Scores of other promising prospects are being opened which would cause stampedes in other states."

Bartholomew arrived here yesterday morning from his mines near Stanton to meet Mrs. Bartholomew, who arrived from Los Angeles last night. After a few days' sojourn here they will leave for their camp, where he has a small force of men developing a gold bearing vein.

GETS REPRIEVE.

SAN RAFAEL, Cal., Nov. 19.—William Burke, sentenced to hang for the murder of his wife at San Diego in July, was granted an appeal today. This postponed the execution, set for tomorrow, indefinitely.

DEFENSE OF BRANT SCORES TELLING POINT

Alleged Forged Check Is In Reality No Check

(From Saturday's Daily)

When District Attorney R. E. Morrison announced in the district court yesterday afternoon at 4:30 o'clock "the prosecution rests" in the case of the Territory versus Charles T. Brant, Attorney John Mason Ross, for the defense, raised a legal question to which the district attorney objected, the court granting at the latter's request until 9 o'clock this morning to look up authorities to sustain his position. The greater part of the trial during the day was taken up in the discussion of technical questions of law bearing on the indictment, which charges the defendant with forging a check in the sum of \$92.70, which was cashed by John Lindell, and the instrument itself, Attorney Ross declared in court several times in his arguments, does not possess the essential elements of a forgery.

At the conclusion of the introduction of testimony by the prosecution, Attorney Ross asked the court to instruct the jury to return a verdict for the defendant for the reason that the purported check was not drawn on any person, firm or corporation. He insisted on a dismissal of the case on this ground and maintained that there should be some proof to show that the order was drawn on somebody to whom it could be presented for payment. He contended further that there was no evidence introduced tending to prove that the instrument was ever presented for payment or any attempt ever made to collect the alleged check, which he described as a meaningless instrument and not possessing the essential elements of a forgery.

District Attorney Morrison strongly opposed Attorney Ross' motion and was granted until this morning to produce authorities sustaining his position.

The alleged check, which Brant is charged with forging and which was cashed by John Lindell in November, 1907, reads as follows:

THE LOOKOUT COPPER COMPANY
Poland, Arizona, Nov. 15, 1907.

\$92.70.
Prescott National. Pay to the order of C. T. Brant, \$92.70, Ninety-two 70/100 Dollars, Value received and charge to his account of
To O. R. & W. R. M.

The Lookout Copper Company,
By O. Longacre, Jr.,
General Manager.

Contrary to the general custom in the conduct of criminal cases, the defense did not demur to the indictment when the case was called. After the jury was impaneled, however, a brisk legal battle was waged by both sides until the court announced a recess until this morning.

The first important objection raised was when the defense attempted to prove that O. Longacre, Jr., was general manager of the Lookout Copper Company, at the time of the alleged forgery. Attorney Ross objected to this on the ground that the indictment did not allege that Longacre was general manager of the company on the date of the alleged forgery. This objection was overruled by the court and the prosecution allowed to prove Longacre general manager of the company at the time.

Further in the proceedings the defense objected to the prosecution being allowed to prove that the letter E under the name of O. Longacre, Jr., on the alleged forged instrument was the signature of E. E. Edwards. This objection was also overruled by the court.

Several objections were raised by the defense against the prosecution introducing the alleged forged instrument as evidence. A two hour recess was had to allow the attorneys to introduce authorities.

Similar cases from several courts of the different states and the United States courts were cited by both sides.

One of the principal objections of the defense was that the alleged forged check was not a check, although the indictment alleged it to be a check. This was overruled, the court intimating that it made no difference what the instrument was called since it was copied in the indictment. The suggested that it would be determined later what the instrument was and whether such an instrument should be classed as forgery.

E. E. Edwards testified that the signature to the instrument looked like Brant's handwriting and John Lindell testified to cashing it for defendant.

The jury in the case of Richard DeKuhn, charged with mutilating the justice docket of Cherry Creek precinct while serving as justice of the peace in 1907, was discharged at 4:45 o'clock last evening, having failed to agree upon a verdict.

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How Can You Expect to Digest Hog Fat?

Take any lard-fried food and examine it when it is cold. You will find it covered with a thick, heavy coat of grease that you would not think of eating under any circumstances. That grease is there just the same when the food is warm, but you do not see it. It is the fore-runner of indigestion, unless you have the stomach of an ostrich.

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BALTIMORE CLIMS ENCOURAGE OWNERS

(From Wednesday's Daily)

Among the promising properties of the Senator section of the Hassayampa district under development may be mentioned the Baltimore group of claims, recently taken over under bond by W. E. Fry. The property was formerly known as the Enoch Williams group.

The new shaft is now down 35 feet with from three to five feet of ore in the bottom. Sinking is being pushed and the new owner has under consideration the sinking of a second shaft on a parallel vein. He made the second payment to Lester Jackson, one of the former owners, a few days ago. Fry is confident of opening one of the largest gold properties in the Hassayampa district.

The ledge under development was discovered several years ago by Enoch Williams while engaged in placer mining. The ledge is what is known as a wet one. Water flows out of the surface the entire year. Williams was working some very rich placer ground when he accidentally discovered the ledge. He panned some of the cropings and found a rich gold prospect. He sunk a shaft and extracted several hundred tons of ore that gave returns of \$15 to the ton treated by the crude arrastra process. He was forced to cease sinking on account of the great inflow of water, not being possessed of sufficient means to equip the shaft with hoisting and pumping machinery.

Fry is now preparing to install a pump, as the water has increased so fast in the last few feet sunk as to seriously impede sinking.

The group is located eight miles south of this city near the Prescott and Senator stage road. The locations cover several veins associated with the granite and syenite contact, so well known to miners and prospectors of the district. One of the claims is located over a promising ledge in a schist intrusion in the syenite. Some very high grade gold ore has been taken from this vein.

Lester Jackson of this city took over the property under bond from Enoch Williams, the discoverer, several months ago. After proving one of the rich ledges at his own expense, his rights were purchased by Fry. Fry started operations on his own account and is so well pleased with the outlook that he has already made the second payment of the purchase price.

GRAND JURY HOLDS HURLEY, CHARGING MURDER

(From Wednesday's Daily)

When the grand jury returned an indictment against E. D. Hurley, charging him with murder of the first degree for the shooting of Ed Conroy, in the district court yesterday, on motion of District Attorney Morrison, Hurley's bail was raised from \$5,000 to \$10,000. Hurley was remanded into the custody of the sheriff until he furnished the additional \$5,000 bond.

Other indictments returned yesterday were Fred Rowe, charged with assault with a deadly weapon, William C. Pitts, Joseph Foley and John W. Smith, assault with a deadly weapon, Walter Atkins, felony for the cutting of the Miller pipe line, Jose Yamata, Japanese, assault with a deadly weapon, Ebaristo Massias, assault with a deadly weapon, and Pete Rodrons, burglary.

Fred Rowe was arraigned and given the statutory time to plead. Pitts, Foley and Smith were arraigned and pleading not guilty, the hearing of their cases was set for November 20.

Atkins was arraigned and given the statutory time to plead; Yamata was arraigned and pleading not guilty, the hearing of his case was set for November 20.

Fodrons was arraigned and given the statutory time to plead.

The following cases were placed on the calendar and default entered: L. I. Fletcher versus G. N. Barnsdall; Margaret Boltz versus Thomas J. Boltz; Francis A. Archambeau versus Joseph Archambeau; J. J. Hart versus Angelina Hart.

The cases of David Babbett versus L. L. Deuell et al.; Miller, Schall and Co. versus the Arizona Smelting Company, and J. H. Cordes versus John Hennessy were placed on the calendar.

Judgment for plaintiff was rendered in the case of the Hill Hardware Company versus William Stephens.

The demurrer in the case of L. I. Bonnell versus C. C. Miller was argued and sustained and the plaintiff granted leave to amend the complaint.

Plaintiff was granted leave to amend his complaint in the case of Jules Baumann versus the Baumann Copper Company and the hearing of the case set for December 4.

ACTIVE OPERATIONS ON HASSAYAMPA PROPERTY

(From Thursday's Daily)

Active operations on the properties of the United Gold and Copper Mining Company are now well under way, according to the statement of J. B. Tomlinson, managing director of the company, who was here yesterday from his company's camp on the Hassayampa River.

"Ten stamps of the mill are now in operation and I expect to have the other ten stamps running in a few days," Director Tomlinson said to a Journal-Miner representative.

"The delay in starting the second ten stamps of the mill is due to repairs of the Wilfley concentrating tables now nearly finished.

"Good progress is being made running the tunnel on the American Eagle mine. Three shifts are employed. The ore body varies from four to five feet in thickness, carrying good values in gold."

The group is located ten miles south of this city in one of the richest gold sections of the Hassayampa district. The company's holdings comprise seven patented claims covering timber and water rights.

George B. Upton, general manager of the Stanton Rich Hill Gold Company, stopped over here yesterday on his way to his company's properties on Rich Hill in the Weaver district, where he will resume development operations in a few days. A tunnel will be started on one of the principal ledges covered by the twenty locations comprising the group. A new shaft will also be started on another ledge.

The claims cover a series of veins running to Rich Hill, on the summit of which over a million dollars in placer gold was mined in the 60's.

Charles Mackling arrived here last evening from his Independence mine in the Big Bug district with samples of rich gold and copper bearing ore from a vein paralleling the El Capitan, which was opened several years ago by Douglas, Lacey & Company to a

depth of 400 feet. The Independence is a relocation of the El Capitan claim, which was abandoned last year. The ore, which samples \$25 to the ton, is taken from a ledge recently discovered 125 feet south of the El Capitan. Mackling found the outcrop and ore five hundred feet from the 400 foot shaft sunk by Douglas, Lacey & Company. The parallel ledge can be easily reached through a crosscut from the shaft.

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WARNING NOTICE.
Notice is hereby given that the undersigned, owner of the Neimas group of claims, and located about 30 miles west of Hillsdale and adjoining the patented claims of Lawler & Wells, the Eureka mining district, Yavapai county, Ariz., will not be responsible for debts of any kind contracted for labor and improvements on said property, while it is being worked under bond.

GUY ALLEN,
By S. J. Gnaah, attorney-in-fact.

WARNING NOTICE.
Notice is hereby given that the undersigned owners of the mines known as the Lute, Compromise, Black Mt. Aztec, Gold Note, Iowa, Maine, Olympia, Vesuvius, Surprise, Center of Oregon, and the improvements, machinery, and tools located thereon, at and near Richlinbar, Yavapai County, Arizona, will not be responsible for debts of any kind contracted for labor or improvements on said property, or any of it, while it is being worked under a contract and lease, and that said property is now being worked under such contract and lease granted to C. W. Mitchell. Dated this 1st day of March, 1907.

KENTUCKY STANDARD MINING COMPANY.
By Hunter M. Marlowe, Pres.
By Hunter M. Marlowe, Pres.
By Hunter M. Marlowe, Pres.
First publication, March 20, 1907.

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